



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF RESEARCH AND DEVELOPMENT

SEP 25 2018

Ms. Emily Berman
Union of Concerned Scientists
1825 K St. NW, Suite 800
Washington, DC 20006

RE: Freedom of Information Act Request: EPA-HQ-2018-007667

Dear Ms. Berman,

1. SUMMARY OF REQUEST

This letter is in response to your Freedom of Information Act (FOIA) request dated May 14, 2018 requesting access to and copies of all communications to or from Richard Yamada about the April 24, 2018 event at EPA in which Administrator Scott Pruitt announced the agency's proposed "transparency" rule. The date range for this request is April 10, 2018 through April 30, 2018.

2. DISPOSITION

Partial Grant.

3. DESCRIPTION OF RECORDS

In response to your request, we have identified 71 responsive records, 4 of which are releasable in full. These 4 records are being released to you with this letter. 67 documents have been withheld in their entirety pursuant to 5 U.S.C. § 552(b)(5), the Deliberative Process Privilege. The records are exempt from disclosure because they are predecisional and deliberative and would harm agency decision making if released.

4. COST INFORMATION

None. A full waiver has been granted for this FOIA request.

1. FINAL APPEAL RIGHTS AND CONTACT INFORMATION

This letter concludes our response to your request. You may appeal this response by email at hq.foia@epa.gov, or by mail to the EPA's National FOIA Office, U.S. EPA, 1200 Pennsylvania Avenue, N.W. (2310A), Washington, DC 20460. If you are submitting your appeal by hand delivery, courier service, or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 5315, Washington, DC 20001. Your appeal must be in writing, and it must be received no later than 90 calendar days from the date of this letter. The Agency will not consider appeals *received* after the 90-calendar-day limit. Appeals received after 5:00 p.m. EST will be

considered received the next business day. The appeal letter should include the FOIA tracking number listed above. For quickest possible handling, the subject line of your email, the appeal letter, and its envelope, if applicable, should be marked "Freedom of Information Act Appeal". Additionally, you may seek assistance from EPA's FOIA Public Liaison at hq.foia@epa.gov or call (202) 566-1667. Last you may also seek assistance from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, 8610 Adelphi Road, College Park, MD 20740-6001; email: ogis@nara.gov; telephone: (202) 741-5770 or (877) 684-6448; or fax: (202) 741-5769. If you have any questions about this response, please contact Rebecca Clausen, 919-541-3002. clausen.rebecca@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Silzer", written in a cursive style.

Steve Silzer
Director, Office of Program Accountability
and Resource Management